

RULE 1300

~~State Ambient Air Quality Standards~~

General

~~Rescinded by the South Coast Air Quality Management District Board on June 28, 1990.~~

(A) Purpose

- (1) The purpose of this Regulation is to:
 - (a) Set forth the requirements for the preconstruction review of all new or Modified Facilities. *[42 U.S.C. §7502(c)(5), FCAA §172(c)(5); Moved and modified from Rule 1301(a) ¶1, Sentence 1]*
 - (b) Ensure that the Construction, or Modification of Facilities subject to this Regulation does not interfere with the attainment and maintenance of Ambient Air Quality Standards. *[42 U.S.C. §7502(c)(5), FCAA §172(c)(5); Moved and modified from Rule 1301(a) ¶1, Sentence 1]*
 - (c) Ensure that there is no net increase in the emissions of any Nonattainment Air Pollutants from new or Modified Major Facilities which emit or have the Potential to Emit any Nonattainment Air Pollutant in an amount greater than or equal to the amounts set forth in District Rule 1303(B)(1). *[Health & Safety Code §40918(a); Moved and modified from Rule 1301(a) ¶1, Sentence 2. See CARB Comment #1 of 3/1/00, #2 of 4/11/00 and #2 of 7/19/00.]*
 - (d) Implement the provisions of California Health & Safety Code §§40709, 40709.5, 40709.6, 40710, 40711, 40712 and 40713 regarding a system by which all reductions in the emissions of air contaminants (which are to be used to offset certain future increases in emissions) shall be banked prior to use to offset future increases in emissions. *[Health & Safety Code §§40709, 40709.5, 40709.6, 40710, 40711, 40712 and 40713; Moved and modified from Rule 1309 ¶1]*

(B) Applicability *[Moved from 1301(b)]*

- (1) The provisions of this Regulation shall apply to:

- (a) Any new or Modified Facility or Emissions Unit which requires a permit pursuant to the provisions of District Regulation II. *[Moved and modified from 1301(b)(1-2); See also 42 U.S.C. §§7502(c)(5) and 7511a(d), FCAA §§172(c)(5) and 182(d), Health & Safety Code §40918(a) and 40 CFR 51.165(a)(2) for specific requirements.]*

[Please note: Modification of Regulation XIII provides that all new or modified Facilities or Emissions Units will be subject to at least a partial review and analysis under this regulation. Facilities or Emissions Units which are too small to trigger BACT requirements under Proposed Rule 1303(A) will be issued permits under Regulation II after the initial application review and analysis stage (See Proposed Rule 1302(C)(2)(a)(i). Likewise, those Facilities or Emissions Units which require BACT but do not require offsets under Proposed Rule 1303(B) will also be issued permits under Regulation II so long as conditions imposing BACT are added to the resultant permit (See Proposed Rule 1302(C)(2)(a)(ii)).]

- (2) The provisions of this Regulation regarding Emission Reduction Credits (ERCs) shall apply to:
 - (a) The creation, banking, ownership and use of ERCs within the District.
[Moved and modified from Rule 1309 ¶1]

(C) Violations

- (1) Failure to comply with the provisions of this Regulation shall result in enforcement action under applicable provisions of Division 26, Part 4, Chapter 4 of the California Health and Safety Code (commencing with §42300) and or applicable provisions of the Federal Clean Air Act (42 U.S.C. §§ 7401 et.seq.)
[Moved and modified from Rule 1301(c)]

(D) Exemptions

(1) Change of Ownership or Operator

- (a) Any Facility which is a continuing operation, shall be exempt from the provisions of this Regulation when: *[40 CFR 51.162(a)(1)(v)(C)(7); Moved from Rule 1313(a).]*
 - (i) A new permit to operate is required solely because of permit renewal, change in ownership or a change in facility operator; and *[40 CFR 51.162(a)(1)(v)(C)(7); Moved from Rule 1313(a).]*
 - (ii) There is no Modification or change in operating conditions at the Facility. *[40 CFR 51.162(a)(1)(v)(C)(7); Moved from Rule 1313(a).]*

[Please Note: Original rule only specifically mentioned change of operator. Change of ownership without any other change was impliedly exempted by Rule 1304(a)(1), 1304(c)(1) and 1313(a)]

(2) Change in Rule 219

- (a) Any Facility which is a continuing operation, shall be exempt from the provisions of this Regulation when: *[40 CFR 51.162(a)(1)(v)(C)(7); Moved from Rule 1313(a).]*
 - (i) A new permit to operate is required solely because of a change to Rule 219 - *Equipment Not Requiring a Permit*; and *[40 CFR 51.162(a)(1)(v)(C)(7); Moved from Rule 1313(a).]*
 - (ii) There is no Modification or other change in operating conditions at the Facility. *[40 CFR 51.162(a)(1)(v)(C)(7); Moved from Rule 1313(a).]*

(E) Interaction with Other Federal, State and District Requirements

(1) Interaction with District Rules

- (a) Issuance of Authority to Construct Permits and Permits to Operate
 - (i) ATC(s) and PTO(s) issued pursuant to this Regulation shall also comply with the applicable provisions of District Regulation II. *[Necessary to allow use of Regulation II procedures to issue permits once all applicable NSR requirements have been meet.]*

(2) Prevention of Significant Deterioration (PSD)

- (a) Nothing in this Regulation shall be construed to exempt a Facility or an Emissions Unit located in an area designated by USEPA as attainment or unclassified for a Regulated Air Pollutant from complying with the applicable provisions of Title I, Part C of the Federal Clean Air Act (42 U.S.C. §§7470-7492, Prevention of Significant Deterioration of Air Quality), the regulations promulgated thereunder and the provisions of District Regulation XVII as applicable. *[Cross references PSD requirements.]*

(3) Other Federal Requirements

- (a) Nothing in this Regulation shall be construed to exempt a Facility or an Emissions Unit from complying with all other applicable Federal Requirements including, but not limited to, the following: *[40 CFR 51.160(d) and 51.165(a)(5)(i)]*
- (i) Any standard or other requirement contained in the applicable implementation plan for the District, and any amendments thereto, approved or promulgated pursuant to the provisions of Title I of the Federal Clean Air Act (42 U.S.C. §§7401-7515). *[40 CFR 51.160(d) and 51.165(a)(5)(i)]*
- (ii) Any standard or other requirement under 42 U.S.C. §7411, Standards of Performance for New Stationary Sources (Federal Clean Act §111); 42 U.S.C. §7412, Hazardous Air Pollutants (Federal Clean Air Act §112) or the regulations promulgated thereunder. *[40 CFR 51.160(d) and 51.165(a)(5)(i)]*
- (iii) Any standard or other requirement under Title IV of the Federal Clean Air Act (42 U.S.C. §§7651-7651o, Acid Rain) or the regulations promulgated thereunder. *[40 CFR 51.160(d) and 51.165(a)(5)(i)]*
- (iv) Any standard or other requirement under Title V of the Federal Clean Air Act (42 U.S.C. §§7661a - 7661f, Permits), the regulations promulgated or the District program approved thereunder. *[40 CFR 51.160(d) and 51.165(a)(5)(i)]*
- (v) Any standard or other requirement of the regulations promulgated under Title VI of the Federal Clean Air Act (42 U.S.C. §§7671-7671q, Stratospheric Ozone Protection) or the regulations promulgated thereunder. *[40 CFR 51.160(d) and 51.165(a)(5)(i)]*

- (vi) Any national Ambient Air Quality Standard or increment or visibility requirement promulgated pursuant to part C of Title I of the Federal Clean Air Act (42 U.S.C. §7401-7515). *[40 CFR 51.160(d) and 51.165(a)(5)(i)]*

[SIP: Submitted as amended _____ on _____]

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